IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 11TH OCTOBER 2006 / 19TH ASWINA 1928

Bail Appl..No. 5811 of 2006

CRIME NO.368/2006 OF ALATHUR POLICE STATION

APPLICANT/ACCUSED:

SUNIL KUMAR, S/O. MANI,
KAMALA NIVAS, CHERUMKODE,
KAVASSERY, ALATHUR.

BY ADV. SRI.P.VIJAYA BHANU
SRI.PRASUN.S

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING THE S.I. OF ALATHUR
POLICE STATION.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5811/2006

DATED THIS THE 11TH DAY OF OCTOBER, 2006

O R D E R

The petitioner is accused of the offence punishable under Section 376 IPC, in crime No.368/2006 of Alathur Police Station, and therefore, he was arrested on 10.7.2006. He remains in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. I heard the arguments of both sides. Considering the duration of the judicial detention and the near completion of the investigation, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Alathur.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of four months, starting from 17.10.2006, and thereafter, on the first working day of every month, between the same timings, till the completion of the trial and final disposal of the sessions case.

(c). The petitioner shall not leave the State of Kerala, till the final disposal of the Sessions case.

(d). The petitioner shall not interfere with the investigation, attempt to influence or threaten the witnesses or cause any hindrance to the smooth conduct of the prosecution case, during the trial.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs